

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  LIFELINE ASSISTANCE RATES	DOCKET NO. RMU-01-15
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**ORDER ADOPTING EMERGENCY RULE MAKING**

(Issued December 19, 2001)

Pursuant to the authority of Iowa Code §§ 17A.4, 476.1, 476.2, and 47 U.S.C. § 254(f), the Utilities Board (Board) adopts the amendments attached hereto and incorporated by reference. These rules amend 199 IAC 39.3(2)"b." The reasons for adopting these amendments are set forth in the attached notice of adopted and filed emergency rules.

**IT IS THEREFORE ORDERED:**

1. The amendments to 199 IAC 39.3(2)"b" set out in the attached notice of adopted and filed emergency rules, identified as Docket No. RMU-01-15 and incorporated herein by this reference, are adopted by the Board.

2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin, a notice in the form attached to this order.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 19<sup>th</sup> day of December, 2001.

## **UTILITIES DIVISION [199]**

### **Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code sections 17A.4(2), 476.1, 476.2, and 47 U.S.C. § 254(f), the Utilities Board (Board) gives notice that on December 19, 2001, the Board issued an order in Docket No. RMU-01-15, In re: Lifeline Assistance Rates, "Order Adopting Emergency Rule Making," amending 199 IAC 39.3(2)"b" concerning changes to federal Lifeline assistance rates. The amended rule will allow telecommunication carriers to comply with changing federal Lifeline assistance rates and maintain compliance with Board rules.

The purpose of this amendment is to eliminate the federal baseline Lifeline support amount specification set forth in 199 IAC 39.3(2), subsection "b." The support amount specified in the current rule, \$3.50, does not reflect an increase in the monthly credit for Lifeline customers recently ordered by the Federal Communications Commission (FCC) in CC No. 01-304. The increase from \$3.50 to \$5.00 goes into effect January 1, 2002, and additional increases are planned later in this year. By eliminating the reference to a specific amount, tariffs filed by telecommunication carriers reflecting the correct amount under federal law will also be in compliance with Board rules. The amendment will make it unnecessary to update the rules when the federal support amount changes in the future.

In compliance with Iowa Code section 17A.4(2), the Board finds that notice and public participation are unnecessary because the amendment simply eliminates the specification of the monthly credit amount for Lifeline customers as changes in federal law have rendered the previous amount inaccurate. The change to the rule has no other effect on certification or professional practices.

The Board also finds that, pursuant to Iowa Code 17A.5(2)"b"(2), the normal effective date of the amendment should be waived and this amendment should be made effective upon filing, as it confers a benefit on telecommunication carriers by eliminating an incorrect credit amount which if reflected in their tariffs, would render them non-compliant with federal law.

This amendment will become effective December 19, 2001.

This amendment is intended to implement Iowa Code sections 17A.4(2), 476.1, 476.2, and 47 U.S.C. § 254(f).

The following amendment is proposed:

Item 1. Amend 199—subrule 39.3(2)"b," as follows.

**39.3(2) Rates**

b. *Lifeline assistance rates.* The rates charged to qualified applicants shall reflect the following:

(1) Eligible carriers that charge federal end-user common line charges or equivalent federal charges must apply the federal baseline Lifeline support of ~~\$3.50~~ to waive the Lifeline consumer's federal end-user common line charges.

(2) Eligible carriers that do not charge federal end-user common line charges or equivalent federal charges must apply the federal baseline Lifeline support amount of ~~\$3.50~~ to reduce the Lifeline consumer's lowest tariffed residential rate.

(3) Qualified applicants shall have their monthly local exchange service rate reduced by the federal support of \$1.75, in addition to the ~~\$3.50~~ of baseline federal support used either to waive the Lifeline consumer's federal end-user common line charges, or to reduce the Lifeline consumer's residential rate.

(4) Eligible carriers may not collect a service deposit in order to initiate Lifeline service, if the qualified applicant voluntarily elects toll blocking where available.

December 19, 2001

/s/ Diane Munns

Diane Munns  
Chairperson